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REMARKS

Claims 1-5 are pending in the present application. By his Office Action dated March 25, 2003, the Examiner has rejected all claims and has requested corrections of certain deficiencies within the specification. The present amendments are intended to address the bases for the Examiner's claim rejections and to correct the deficiencies of the specification.

SPECIFICATION

Applicant appreciates the specification's technical deficiencies noted by the Examiner. Specifically, the Examiner has requested that the numerals in the lower left hand corner of each page of the specification be removed. The removal of those numerals is effected by the present amendment. In addition, the Examiner has noted a paragraph entitled "Summary" immediately following the claims on page 25. That paragraph, which appears redundant in view of the description of the invention provided in the specification, has been deleted.

In addition to the foregoing corrections, applicant has, by the present amendment, corrected a number of plain errors in the text of the specification. Applicant submits that none of these corrections are substantive, but are simply intended to correct typographical, translational, and grammatical errors in order to make the specification more readable. With the exception of an artifact (an equal sign) appearing at page 13, all of these "clean up" amendments to the specification occur in the Field of Invention and

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Background sections. Applicant submits that the corrections and clarifications made are consistent with the context and that no new matter has been added. Entry of these amendments is therefore respectfully requested.

Claims

Claims 1-5 were rejected under 35 USC § 112 as being indefinite for failing to particularly point out and distinctly claim the inventive subject matter. Specifically, the Examiner notes that the term "proportion" and the term "and/or" are unclear. Both of these terms have been removed in the claims as presently amended. The Examiner's suggestion to replace "a compound containing" with the term "composition" has also been adopted in the presently amended claims.

The Examiner will appreciate that claim 1 has been substantially amended. The purpose of the amendment was to address the indefiniteness issues raised by the Examiner while retaining a breadth of claim commensurate with the scope of the disclosure. The three "proportions" described in the originally filed claim 1 correspond to different "volumes" of the viscoelastic composition described in the specification for use in different size joints. See specification, at page 9, line 22 through page 10, line 7. Thus, the specification describes the use of an identical composition described at page 10, lines 13-15, in all instances. Claim 1 has also been amended so as to provide an appropriate antecedent basis for the limitations. The term "applications" has been replaced by "implantation," which is believed to be more precise. Support for this amendment is

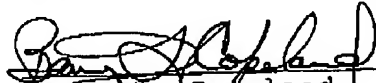
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found throughout the specification, but specifically at page 9, lines 7-9 and page 13, last paragraph. The dependent claims (2-5) have been amended to employ the "selected from a group consisting of" language preceding the enumerated lists of joints. The hypodermic needle limitation of claim 2 as amended finds support in the specification at page 10, line 12. Finally, as mentioned above, the "Summary" paragraph at the end of the claims has been deleted.

Applicants respectfully submit that the present amendments are fully responsive to the Examiner's well founded arguments under § 112, and that the claims are now in condition for allowance. The Examiner's favorable reconsideration is therefore requested.

Respectfully submitted,


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8/25/03

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